UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/647,332	09/27/2000	Yoshihisa Gonno	450106-02305	5400

20999 7590 05/07/2004		EXAMINER
FROMMER LAWRENCE & HAUG		USTARIS, JOSEPH G
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ART UNIT	PAPER NUMBER
2611	

DATE MAILED: 05/07/2004

FROMMER LAWRENCE & HAUG
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NEW YORK, NY 10151

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-8* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-8* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *27 September 2000* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1. ☒ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date *4*.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Drawings

1.   The drawings are objected to because sheets drawing page 12 does not have a

figure number and is not explained within the specification. A proposed drawing

correction or corrected drawings are required in reply to the Office action to avoid

abandonment of the application. The objection to the drawings will not be held in

abeyance.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Kretz et al.

(US006502241B1).

Kretz et al. (Kretz) discloses a system for transmitting an electronic database of

information or "contents data composed of successive data" (See column 2 lines 30-45).

A transmitter or "transmitting apparatus" provides a database of information by

transmitting database sections, i.e. Table Info and Menu Info sections, which define

menu structures and how the database of information will be presented on the screen,

wherein the database is stored at the transmitter or "meta data schema storing

means...for storing...data structure of meta data" (See column 1 lines 15-50). The

database also consists of a Program Info section or "contents data", where it is used to

build up the TV program database at the receiver. Each of the programs are listed or

"contents segmenting means...for segmentation information of contents data" within the

Program Info section and each program also contains a header that correlates each

program with "meta data", i.e. title, start time, stop time, program information, and

program description or "meta data combining means for correlating" (See column 8

lines 25-67). The database also contains a Table Info section that defines collection

properties, i.e. "meta data", which are associated with the programs. The purpose of the

Table Info section is to define what area the program is going to appear in the display of

the screen (See column 3 lines 30-40, column 5 line 65 – column 6 line 30, and Fig. 5).

Prior to transmitting, the database sections are sent to a page composer, which packs

each section in one or more teletext pages or "transmission format" for transmission or

"meta data and meta data schema converting means" (See Fig. 1 and column 3 lines 5-

20). The transmitter ultimately transmits the database sections to the receiver through

the transmission medium or "transmission path" (See Fig. 1).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kretz et al. (US006502241B1) in view of Matthews, III et al. (US006025837A).

Kretz et al. (Kretz) discloses a system for transmitting an electronic database of information or "contents data composed of successive data" (See column 2 lines 30-45). A transmitter or "transmitting apparatus" provides a database of information by transmitting database sections, i.e. Table Info and Menu Info sections, which define menu structures and how the database of information will be presented on the screen, wherein the database is stored at the transmitter or "meta data schema storing means...for storing...data structure of meta data" (See column 1 lines 15-50). The database also consists of a Program Info section or "contents data", where it is used to build up the TV program database at the receiver. Each of the programs are listed or "contents segmenting means...for segmentation information of contents data" within the Program Info section and each program also contains a header that correlates each program with "meta data", i.e. title, start time, stop time, program information, and program description or "meta data combining means for correlating" (See column 8 lines 25-67). The database also contains a Table Info section that defines collection properties, i.e. "meta data", which are associated with the programs. The purpose of the Table Info section is to define what area the program is going to appear in the display of the screen (See column 3 lines 30-40, column 5 line 65 – column 6 line 30, and Fig. 5). Prior to transmitting, the database sections are sent to a page composer, which packs each section in one or more teletext pages or "transmission format" for transmission or

"meta data and meta data schema converting means" (See Fig. 1 and column 3 lines 5-20). The transmitter ultimately transmits the database sections to the receiver through the transmission medium or "transmission path" (See Fig. 1). Furthermore, the Program Info section conveys all the listed programs or "segmentation information" and is stored along with the database or "segmentation information storing means". The Program Info section gets converted along with all the other sections within the database by the page composer or also known as the "segmentation information converting means" and is transmitted to the receiver. However, Kretz lacks a feature where the stored listed programs or "segmentation information" is assigned an identifier to be used to correlate with "meta data".

Matthews, III et al. (Matthews) discloses a system for generating an electronic program guide (EPG). The head end maintains a data structure that lists all the programs available or "segmentation information" to the viewer (See Fig. 2). The data structure assigns each program a storage pointer or "identifier", i.e. PROG1. Each storage pointer of each program is correlated with "meta data", i.e. title, actor, time, and network or "meta data combining means for correlating an identifier". Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the programs listed within the Program Info section disclosed by Kretz to be assigned a storage pointer or "identifier" that is correlated with "meta data", as taught by Matthews, in order to provide a more efficient means of sorting and searching the listed programs thereby reducing the processing time and load.

Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Kretz et al. (US006502241B1) in view of Hawkins et al. (US006005561A).

Regarding claim 3, Kretz et al. (Kretz) discloses a system for transmitting an

electronic database of information or "contents data composed of successive data" (See

column 2 lines 30-45). A transmitter or "transmitting apparatus" provides a database of

information by transmitting database sections, i.e. Table Info and Menu Info sections,

which define menu structures and how the database of information will be presented on

the screen, wherein the database is stored at the transmitter or "meta data schema

storing means...for storing...data structure of meta data" (See column 1 lines 15-50).

The database also consists of a Program Info section or "contents data", where it is

used to build up the TV program database at the receiver. Each of the programs are

listed or "contents segmenting means...for segmentation information of contents data"

within the Program Info section and each program also contains a header that

correlates each program with "meta data", i.e. title, start time, stop time, program

information, and program description or "meta data combining means for correlating"

(See column 8 lines 25-67). The database also contains a Table Info section that

defines collection properties, i.e. "meta data", which are associated with the programs.

The purpose of the Table Info section is to define what area the program is going to

appear in the display of the screen (See column 3 lines 30-40, column 5 line 65 –

column 6 line 30, and Fig. 5). Prior to transmitting, the database sections are sent to a

page composer, which packs each section in one or more teletext pages or

"transmission format" for transmission or "meta data and meta data schema converting

means" (See Fig. 1 and column 3 lines 5-20). The transmitter ultimately transmits the

database sections to the receiver through the transmission medium or "transmission

path" (See Fig. 1). However, Kretz lacks a feature where the page composer converts

the database sections into a MPEG format.

Hawkins et al. (Hawkins) discloses an information delivery system that delivers

media object or sections within a data stream used to interactive services, such as an

EPG interface (See column 13 lines 1-10). The head end would transmit the media

objects using an MPEG-2 format (See Fig. 7 and column 13 lines 28-55). Therefore, it

would have been obvious to one with ordinary skill in the art at the time the invention

was made to modify the page composer disclosed by Kretz to convert the database

sections into a MPEG format or "MPEG system section format", as taught by Hawkins,

so that the transmission signal would be in accordance with a well known and

established transmission format thereby ensuring greater compatibility between servers.

Regarding claim 4, Kretz in view of Hawkins also discloses each stream of a

media object or database section is assigned a program information descriptor (PID) or

is in "descriptor format" (See Hawkins Fig. 7 and column 13 lines 40-55).

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Kretz et al. (US006502241B1) in view of Matthews, III et al. (US006025837A) as

applied to claim 2 above, and further in view of Hawkins et al. (US006005561A).

Regarding claim 7, Kretz in view of Matthews lacks a feature where the page

composer converts the database sections into a MPEG format.

Hawkins et al. (Hawkins) discloses an information delivery system that delivers media object or sections within a data stream used to interactive services, such as an EPG interface (See column 13 lines 1-10). The head end would transmit the media objects using an MPEG-2 format (See Fig. 7 and column 13 lines 28-55). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the page composer disclosed by Kretz in view of Matthews to convert the database sections into a MPEG format or "MPEG system section format", as taught by Hawkins, so that the transmission signal would be in accordance with a well known and established transmission format thereby ensuring greater compatibility between servers.

Claim 8 contains the limitations of claim 2 and 4 and is analyzed as previously discussed with respect to those claims.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kretz et al. (US006502241B1) in view of Liebenow (US006530083B1).

Kretz et al. (Kretz) also discloses a receiver or "receiving apparatus" that receives all the database sections, i.e. Table Info, Menu Info, and Program Info sections, in teletext format or "receiving means for receiving". The database sections are all stored within the memory of the receiver or "meta data schema storing means, meta data storing means" (See Fig. 1 and column 11 lines 25-45). Furthermore, the receiver sends the database sections in teletext format to be decoded by the data decoder for storing or "meta data schema restoring means and meta data restoring

means" (See Fig. 1 and column 11 lines 25-35). The processor of the receiver

sorts/organizes the received database sections in order to store each section in a

corresponding segment within the memory or "meta data analyzing means for collating"

(See column 11 lines 35-40). The receiver then reproduces the information by

generating an electronic program guide using the stored database sections, i.e. Table

Info, Menu Info, and Program Info sections, or "contents reproduction controlling

means" (See Fig. 5 and column 11 line 44 – column 12 line 30). However, Kretz lacks a

feature where the receiver maintains a user's favorite information.

Liebenow discloses a system for personalized settings where an information

handling system or receiver contains user preference profiles or "user profile operating

means" that is used to adjust settings of the receiver (See column 2 lines 50-60). The

user preference profiles contain information pertaining to the user's favorite channels or

stations (See column 7 lines 40-50). Therefore, it would have been obvious to one with

ordinary skill in the art at the time the invention was made to modify the receiver

disclosed by Kretz to store, utilize, and maintain user preference profiles, as taught by

Liebenow, in order to provide the user a means for customizing the information

presented by the receiver thereby making it more convenient to the user.

    Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kretz et

al. (US006502241B1) in view of Liebenow (US006530083B1) and Matthews, III et al.

(US006025837A).

Kretz et al. (Kretz) also discloses a receiver or "receiving apparatus" that

receives all the database sections, i.e. Table Info, Menu Info, and Program Info

sections, in teletext format or "receiving means for receiving". The database sections

are all stored within the memory of the receiver or "meta data schema storing means,

meta data storing means" (See Fig. 1 and column 11 lines 25-45). Furthermore, the

receiver sends the database sections in teletext format to be decoded by the data

decoder for storing or "meta data schema restoring means and meta data restoring

means" (See Fig. 1 and column 11 lines 25-35). The processor of the receiver

sorts/organizes the received database sections in order to store each section in a

corresponding segment within the memory or "meta data analyzing means for collating"

(See column 11 lines 35-40). The receiver then reproduces the information by

generating an electronic program guide using the stored database sections, i.e. Table

Info, Menu Info, and Program Info sections, or "contents reproduction controlling

means" (See Fig. 5 and column 11 line 44 – column 12 line 30). Furthermore, the

Program Info section conveys all the listed programs or "segmentation information" and

is stored along with the database or "segmentation information storing means" within

the receiver. The Program Info section gets converted along with all the other sections

within the database by the data decoder or also known as the "segmentation

information restoring means" and is stored within the receiver. However, Kretz lacks a

feature lacks a feature where the receiver maintains a user's favorite information and

where the stored listed programs or "segmentation information" is assigned an identifier.

Liebenow discloses a system for personalized settings where an information

handling system or receiver contains user preference profiles or "user profile operating

means" that is used to adjust settings of the receiver (See column 2 lines 50-60). The

user preference profiles contain information pertaining to the user's favorite channels or

stations (See column 7 lines 40-50). Therefore, it would have been obvious to one with

ordinary skill in the art at the time the invention was made to modify the receiver

disclosed by Kretz to store, utilize, and maintain user preference profiles, as taught by

Liebenow, in order to provide the user a means for customizing the information

presented by the receiver thereby making it more convenient to the user.

Matthews, III et al. (Matthews) discloses a system for generating an electronic

program guide (EPG). The head end maintains a data structure that lists all the

programs available or "segmentation information" to the viewer (See Fig. 2). The data

structure assigns each program a storage pointer or "identifier", i.e. PROG1. Therefore,

it would have been obvious to one with ordinary skill in the art at the time the invention

was made to modify the programs listed within the Program Info section disclosed by

Kretz to be assigned a storage pointer or "identifier", as taught by Matthews, in order to

provide a more efficient means of sorting and searching the listed programs thereby

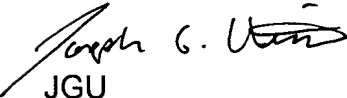reducing the processing time and load.

Conclusion

4.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. Please take note of Wang (US006675385B1) for his similar

method for producing and maintaining EPG data that is used for generating an EPG.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Joseph Ustaris whose telephone number is (703) 305-

0377. The examiner can normally be reached on Monday-Friday with alternate Fridays

off from 7:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Andrew Faile, can be reached on (703) 305-4380. The fax phone number

for this Group is (703) 872-9306.

Any inquiry of general nature or relating to the status of this application or

proceeding should be directed to the Group Receptionist whose telephone number is

(703) 305-4700.

JGU
April 30, 2004

VIVEK SRIVASTAVA
PRIMARY EXAMINER